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10/007,156

12/05/2001

John G. Sotos

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EXAMINER

KRISCIUNAS, LINDA MARY

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 04/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/007,156

Applicant(s)

SOTOS, JOHN G.

Examiner

Linda Krisciunas

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/24/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This is a Non-Final Office Action in response to the application filed December 5, 2001. Claims 1-34 are pending. The Examiner notes the submission of arguments and amendments filed May 17, 2002.

#### ***Information Disclosure Statement***

2. The information disclosure statement filed May 24, 2002 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because there is no copy of PTO/SB/08A. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 5, 10, 13-18, and 30-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Milic-Frayling et al (US 2006/0059138).

As per claims 1 and 30, Milic-Frayling teaches querying a database for documents relevant to a subject (paragraph 32, where the system can be operated on a variety of computer based systems, including data structures which would include databases); calculating a first score for each relevant document (paragraph 13, where the items are ranked which would require some sort of scoring system); determining entities affiliated with one or more relevant documents (paragraph 14, where relevance is determined which is equivalent to affiliation as it performs an identical function in substantially the same manner with substantially the same results. See also paragraph 102 where summaries can be generated based on related articles, where a link is provided that allows the user to verify the relevance of the article.); calculating a second score for each entity based on the one or more first scores of the one or more relevant documents affiliated with the entity; and ranking expertise of the entities based on the respective second scores of the entities (paragraph 13, where the document can be re-ranked according to a specific criteria from a prior search, where re-ranking would constitute some sort of scoring system).

As per claims 5, 10 and 34, Milic-Frayling teaches calculating a third score for each of the plurality of geographic areas based on the respective second scores of entities located within the each of the plurality of geographic area; and ranking expertise of the plurality of geographic areas based on the respective third scores of the plurality of geographic areas (paragraph 13, where the document can be re-ranked according to a specific criteria from a prior search, where re-ranking would constitute some sort of scoring system. The process is not limited in number of times it can re-rank the data,

therefore third scores would be encompassed by the re-ranking feature of Milic-Frayling.).

As per claims 13-18, Milic-Frayling teaches the first score is based on a type of the document (paragraph 85, where scoring (525) is one of several well known relevance matching functions with respect to the model of the user's interest.).

As per claims 31-33, Milic-Frayling teaches the server is coupled to the database via the world wide network of computers (paragraph 65, where the user can search using the Web via a browser and paragraph 35: "Personal computer 20 may operate in a networked environment using logical connections to one or more remote computers such as remote computer 49. Remote computer 49 may be another personal computer, a server, a router, a network PC, a peer device, or other common network node. It typically includes many or all of the components described above in connection with personal computer 20; however, only a storage device 50 is illustrated in FIG. 1. The logical connections depicted in FIG. 1 include local-area network (LAN) 51 and a wide-area network (WAN) 52. Such networking environments are commonplace in offices, enterprise-wide computer networks, intranets and the Internet.").

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-4 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milic-Frayling.

As per claims 2-4 and 11-12, Milic-Frayling teaches ranking of expertise of the entities to a user, graphically depicting levels of expertise and numerically depicting expertise (paragraph 85, where the information is scored and listed accordingly. Official notice is taken that it is old and well known to use numbers or graphs to display the rank of items. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ranking system of Milic-Frayling with a numerical or graphical ranking system in order to provide a more user-friendly system.).

7. Claims 6-9 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milic-Frayling in view of "Creating a CD-ROM: Overview of the product field. (CD-ROM authoring and data retrieval software packages; includes company directory and related article on resources for doing research)", Buyers Guide by Bernard Banet, Seybold Report on Desktop Publishing, v7, n6, February 1, 1993; hereinafter referred to as "Banet".

As per claim 6, Milic-Frayling does not explicitly teach determining the author or institution of the document. Banet teaches that it is known to determine an author of the document (page 3, paragraph 4: "fields such as author, date, title, subject and so on"); and determining from what one or more institutions the document emanated (page 18, paragraph 10, where a bibliography is indicated which would contain institution or company information). Banet is an analogous art as it also teaches about document

retrieval. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the document system of Milic-Frayling with the author/institution feature of Banet to provide a more comprehensive and user-friendly system.

As per claims 7-9, Milic-Frayling does not explicitly teach determining the address. Banet teaches that it is known to examine an address of the determined author, where the address is a mailing address, where the address is an e-mail address (page 3, paragraph 6, where address or contact information is indicated). Bernard is an analogous art as it also teaches about document retrieval. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the document system of Milic-Frayling with the address feature of Bernard to provide a more comprehensive and user-friendly system.

As per claims 19-20, Milic-Frayling does not explicitly teach authors affiliated with the documents. Banet teaches that it is known the entities affiliated with one or more documents include authors of the one or more documents (page 3, paragraph 4: "fields such as author, date, title, subject and so on"). Bernard is an analogous art as it also teaches about document retrieval. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the document system of Milic-Frayling with the author feature of Bernard to provide a more comprehensive and user-friendly system.

8. Claims 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milic-Frayling in view of The National Library of Medicine internet home page ([www.webarchive.com](http://www.webarchive.com) from the year 2000), hereinafter referred to as "NLM".

As per claims 21-29, Milic-Frayling does not explicitly teach medical databases. NLM teaches that it is known that the database of documents is at least one of the Medlars databases (See page 2, where NLM provides free access to PubMed and Internet Grateful Med which connect to multiple medical databases.). NLM is an analogous art as it also teaches about document retrieval. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the document system of Milic-Frayling with the medical database feature of NLM to provide a more comprehensive and user-friendly system.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art also teaches about document retrieval: Vailaya et al (US 2005/0278321), Tukey et al (US 5,911,140), Inaba et al (US 6,154,737), Nakano (US 7,010,515), Sugaya et al (US 6,757,676), Ito et al (US 6,424,963), Kirsch et al (US 5,920,854), Byrd Jr et al (US 5,826,260), Caid et al (US 5,794,178), Smadja (US 6,119,114), Spencer (US 5,915,249), webarchive of [www.healthcentral.com](http://www.healthcentral.com) from 1999 (8 pages), webarchive of [www.nlm.nih.gov](http://www.nlm.nih.gov) from 2000 (8 pages), "HealthCentral.com ranked #1 health content website according to Gomez", PR

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Newswire, August 16, 2000; "HealthCentral.com partners with bestdoctors to create exclusive access to medical experts", Business Wire, May 10, 1999; "HealthCentral.com extends content agreement with Yahoo!", PR Newswire, August 31, 2000; "Virtual medicine can't replace real thing Many web sites can be valuable sources of consumer health information, but most experts advise against taking online test-for both medical and privacy reasons" by Benedict Carey, Star Tribune, August 27, 2000; "Using your PC to pick the best fund finder" by Michael Gianturco, Forbes, v158, n8, October 7, 1996; and "IAC launches Insite Pro: Web-Based, Flat-Fee Business Intelligence Solution for information professionals", Business Wire, May 13, 1997.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Krisciunas whose telephone number is 571-272-6931. The examiner can normally be reached on Monday through Friday, 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LMK

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*March 31, 2006*

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